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Record Item: Trial Testimony of...

File Unit: Civil Case #1333, *Davis et al v. County School Board of Prince Edward County, VA, et al.*, Box 126, Volume 2 (for Isidor Chein's testimony) or Volume 5 (for Mamie P. Clark, Horace B. English, Alfred McClung Lee, William H. Kelly, John Nelson Buck, and Henry E. Garrett's testimony), then the page number.

Series: Civil Case Files

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HENRY E. GARRETT, called as a witness by and on behalf of the defendants, being first duly sworn, testified as follows:

EXAMINED BY MR. MOORE:

Q Dr. Garrett, will you state your full name, your residence, and your occupation?

A I am Henry E. Garrett; I am a psychologist, Professor of Psychology at Columbia University; and I live in New York City.

Q You are appearing here in your individual capacity, I believe, as Governor Darden said he was from the University of Virginia?

A I want to make the statement that I appear here not in any sense as a representative of the institution of which I am a member, simply as an individual.

Q You stated you were a professor of psychology at Columbia University; will you briefly describe your duties and responsibilities at Columbia?

A I teach courses in the graduate school I administer as the Executive Officer, or Chairman, of the Department of Psychology, and I direct the research of a fair number of graduate students.

Q About what is the size of the faculty there at Columbia in the Department of Psychology? And give us

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some indication as to the scope of the work.

A In the Department of Psychology proper, we have perhaps 25 members, including all ranks, and our work is confined largely to experimental and laboratory psychology, though we have social psychology, abnormal psychology, and the various varieties, not including clinical. The number of graduate students varies between 100 to 150. We give, perhaps, as many as 10 to 12 Doctors' degrees a year, and these cover a variety of topics, as I think I have indicated.

Q Your department at Columbia is certainly one of the largest psychology departments of any institution in the United States, is it not?

A Well, I do not consider it the largest.

Q One of the largest.

A In point of number, it is one of the largest, yes.

Q What is your status there in that department in relationship to rank?

A Well, I am Professor of Psychology, as I said, and Executive Officer which is Chairman of a Department.

Q Will you now tell us about where you were born and your early education and your educational background?

A I will do it very briefly. I was born in Halifax

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County, Virginia; I was educated in schools of Richmond, took the A.B. degree at Richmond College, the M.A. and Ph.D. degrees at Columbia University.

Q You did go mighty fast there. Let us go back there a little bit. Your elementary and high school education was entirely in the public school system?

A In the public school system of Richmond.

Q Of Richmond?

A Yes, sir.

Q You then attended Richmond College, as it was known in those days, not the University of Richmond, as it is today?

A Yes, sir.

Q And you graduated with B.A. degree in what year?

A 1915.

Q Then what did you do following that?

A Taught for two years in John Marshall High School, subject of mathematics. I went into graduate work at Columbia University after spending a year in the Army -- '17-18, and I took the Doctor's degree in psychology in 1923.

Q You have been teaching ever since 1923?

A I have been at Columbia since 1923.

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Q So you might be regarded as one of the older professors?

A I hope not, but I am afraid I am.

Q Doctor, I know, having gotten acquainted with you as I have these last few days, you are sort of modest about yourself. But I think for the Court and this record, I need to ask you about some of the positions of responsibility, outside of your teaching work at Columbia, that you have had through the years.

A I am past President of the American Psychological Association, a national organization; past President of the Eastern Psychological Association; New York State Association; Psychometric Society; I was Vice Chairman of the National Research Council of the Division of Anthropology and Psychology, National Research Council; during World War II, I was a member of the Advisory Committee on Military Personnel, advisor to what was an Advisory Committee to the Adjutant General's Office; and for five years, I was an expert consultant to the Secretary of War. Any more than that, Mr. Moore?

Q I think that will do.

MR. MOORE: I did not want to go into that at all, Judge Dobie, but I felt, since everybody else was doing it, I thought you were entitled to know a little

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bit about it.

JUDGE DOBIE: All right.

BY MR. MOORE:

Q (continued) Doctor, are the fields of social science that we have been having witnesses to testify about rather new fields of science?

A Psychology itself is a new science, Mr. Moore. The first laboratory for psychology was established in 1879. As a modern science, I should say it dates from about the beginning of the 20th century, that is 50 years is about as long as we can claim it to have existed as a science. There are a number of what appear to be divisions. The American Psychological Association, made up of nearly 8,000 members, has some 20 divisions. These divisions do not always mean different parts of the body of psychological knowledge, they are really divisions with respects to interests.

There is, for instance, a division that is concerned with maturity and old age. There is a division concerned with military psychology. There is a --

JUDGE DOBIE: I do not think we need to go into all of them.

MR. MOORE: Yes. I think that is far enough.

JUDGE DOBIE: The psychological house has many

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mansions.

MR. MOORE: Yes, sir.

BY MR. MOORE:

Q This is the real question I was leading up to, Doctor. In your opinion, have we reached the point in the progress of psychology and its study where true measurement can be made by objective tests, or any other tests, as to the impact on personality on such a factor as segregation itself, whether on a voluntary basis or on a statutory basis?

A I think it is very doubtful.

Q Doctor, have you read the transcript of the evidence in this case presented by the plaintiffs' four experts here -- Dr. John Brooks, Dr. Brewster Smith, Dr. Chein, and Dr. Clark?

A I have.

Q Had you known any of these men previously?

A Two of them, I know quite well. Dr. Smith, I do not know too well. Brooks, I did not know at all.

Q How did you happen to know the other two -- Dr. Chein and Dr. Clark?

A They were students of mine.

Q Referring, first, to certain testimony presented by Dr. Brooks, I want to call your attention to a state-

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ment that he made on page 220 of the transcript here. He was referring to certain aims of education and certain objectives that have been laid down by what he referred to as the North Central Association, and he there said:

"The first of these is the category of self-realization, which means health, physical, mental, personal skills, highest development of the self.

"The second category is educational and economic competence, which are self-explanatory.

"The third, but perhaps the first in importance, is civic, democratic and community skills and developments.

"Another category would be a category of ethics, spiritual values, life appreciations.

"That is List 1. Another list says it a little bit differently. For example, the American Council of Education puts it this way:

"No. 1 they place as citizenship. Then they spell that out to mean local citizenship, national citizenship, world-wide citizenship.

"The second category is home membership. By that they mean developing skills and attitudes that make for happy and healthy home life, in which there are a great many more details in regard to boy-girl

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relations, husband-wife relations, bringing up children, and domestic affairs generally.

"The third category is the esthetic, spiritual content of life.

"The fourth category is vocational economic competency."

Then he went on into other groups.

In that respect, I want to ask you in your judgment may those objectives be achieved so far as the secondary school level in Virginia, and generally in the South, is concerned, equally well in your opinion in a separate school as in a mixed school?

A Well, I think those objectives are largely goals, that is, they are things to shoot for. When you talk of self-realization and civic competence, in terms of that sort, you are likely to get off in a stratosphere and you do not know what you mean by your terms.

The average high school teacher in a departmentalized high school, say a teacher who teaches history, teaches perhaps five classes of 25 to 30 students each, she is responsible for a certain amount of subject matter. If she does not cover it, she loses her job. She is responsible for discipline, she tries to get across to these children ways of learning. The idea that

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you can teach a person to think is absurd, you can only give him the opportunity to think, and if he has got anything to think with, he will do it. The teacher, then, if she is to do all of these things that are laid down in the bulletins, such as self-realization, economic competence, and spiritual values, has a load, which it seems to me is greater than any living teacher in a high school can possibly carry. She can do the best she can. She can try to teach good manners, she can try to teach honesty, but I do not see how these things can be anything more than goals, as operations, to which we look but which cannot certainly in the immediate future be realized to a very high degree.

Q Doctor, I believe your testimony means that for that these last 24 years /you have been a graduate professor, you have been moving up in the faculty there at Columbia University in the field of psychology.

A 28 or 27.

Q In connection with that development, you have, as a Virginia boy that moved up to the big city, had to do a great deal of study and reading in your field?

A Well, yes.

Q Have you found anything in the literature that indicates to your mind that the mere act of segregation by

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law can be identified as being detrimental or really be the cause or effect which in any material degree differs from the conditions that we all know exist in New York and other sections of the country where segregation is practiced on a voluntary basis?

A It is a long question, Mr. Moore, and I am not quite sure that I got it all.

Q Would you like for him to read it back?

A Perhaps you had better read it back.

MR. MOORE: Will you read the last question?

(The last question was read.)

Q If that is not clear, I will try to state it more simply.

A I think I can reach that, perhaps.

I do not think that one can possibly defend separation of one group from another, if the separated group is stigmatized or put into an inferior position. Separation can be of different sorts which does not involve, necessarily, any feeling of inferiority or any stigma. The principle of separation in education, for example, is long and well established in American life. Boys and girls are taught in separate schools, Catholic children in parochial schools, Jewish children in Hebrew schools; we have opportunity classes for those children who are slow; we have classes for those children who are

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bright. It has been regarded by many people as being non-democratic, but it does not seem to have made a great deal of difference in those children. So long as the facilities which are allowed are equal, the mere fact of separation does not seem to me to be, in itself discriminatory.

Q Let us turn to another subject for a moment, Doctor.

MR. MOORE: We would not have mentioned this matter, I would like to state, may it please the Court, unless the matter had been brought up by the other side. But I do feel it is necessary to inquire very briefly into it to straighten the matter out.

JUDGE DOBIE: All right.

BY MR. MOORE:

Q (continued) One of the witnesses, Dr. Smith, testified as to certain experience that he said he had had in connection with World War II in regard to certain personality tests among soldiers. Did you have anything to do with the matter of developing soldier tests in World War I or World War II?

A I was one of the originators of the A.G.C.T., the Army General Classification Test, which was given to some 12 million soldiers. I do not think that young

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Dr. Smith referred to personality tests, Mr. Moore, I think he was talking of the Army General Classification Test as a measure of learning.

Q As ability to learn?

A Yes, as ability to learn. You can only measure ability to learn by finding what a person has already learned, at least, that is the theory we have proceeded on. What a person has learned is some guarantee of what he will be able to learn.

Q What was found in connection with the tests, this ability-to-learn test, as we will call it for short, in World War I in comparing the average Negro soldier with the average white soldier?

A Well, in World War I, intelligence tests were administered to almost two million soldiers, of whom some 500,000 were Negroes, as I remember it; it might have been a few more. As is well known, the Negro troops scored more than the white troops

Q By what proportion, roughly?

A A proportion of overlap of roughly 25 per cent. That means that 25 per cent of the Negro soldiers did better than the average white soldier. That is a fact which, incidentally, is disputed by no one. The difference between the fact itself and the interpretation of

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that fact, that is to say, whether it is largely or entirely a matter of invironmental opportunity, or whether it is partly a matter of difference in ancestry or native capacity, that is where the crux comes.

Q Putting it in the reverse, the test indicated that the average Negro soldier did more poorly than the average white soldier by what per cent?

A In which one, World War I?

Q World War I.

A I just said that I cannot put it on any percentage basis. I can only say that we have to use what is termed "overlap," the proportion of the one group that does better than the average of the other.

Let me say it just another way. Taking the white group as your standard, 50 per cent of them would be above your median score. 25 per cent of the Negro group, Negro soldiers, made scores in the upper 50 per cent of the white group. Is that clear?

Q Yes, that is right. Let us come to the results of World War II tests.

A In World War II, the material has never been published. I have had access to a good deal of it and I can say, from my own knowledge, that the percentage of overlap is just about the same.

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6 Q May we turn to another point? In Dr. Smith's testimony, page 272 of the transcript, he developed his views, including this statement, in referring to segregation from a psychological level. He said:

"This is inherently an insult to the integrity of the individual."

Do you find any sociological or psychological basis for any such comment as that by him as applied to the high school situations in Virginia, and particularly the Prince Edward County High School?

A The term "insult" to an individual's personality, it seems to me, is fairly strong language in the situation in which it is used. I think an idealistic person, who is likely to let his sympathies go beyond his judgment, may be so strongly prejudice on the side of abstract goodness that he does not temper the application of the general principle with a certain amount of what might be called common sense. The Farmville situation is fairly far removed, it seems to me, from an abstract term of that sort.

Q May we turn very briefly to a point or two in connection with Dr. Chein's testimony, trying to make this as brief as I can. You will recall that you found in the transcript that he made reference to some study that

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he and a doctor or Mr. Max Deutscher made some years ago and which was published in one of the technical journals. Were you familiar with that article?

A I am familiar with it. It was published in 1948 in the Journal of Psychology.

Q You recall that in his testimony he stated that there were only 32 of the persons who answered the questionnaire that were from the South, and he could not tell what proportion were Negroes or from what localities they came. I ask you whether, in your opinion, that study, as it was described, had any validity bearing on the question as to whether the mere act of segregation of students in the secondary schools in Virginia, and particularly Prince Edward County, could per se be considered as having any damaging effect on the personality of the Negro children?

A I do not think it has any particular relevance to personality, and I do not think it has any particular relevance to the Farmville situation, unless you consider that something which is something abstractly right is always and irrevocably right.

I believe in the principle of fair employment practices, but because the F.E.P.C. has worked reasonably well in New York City is no guarantee, it seems to me, it

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would work in California or Georgia. I believe in the principle of sobriety, that a man should not drive himself to a state of stupefaction. But we saw what happened when you forced prohibition nation-wide. Well, I anticipated your question a bit, so I will stop.

Q That is all right. That was a good anticipation. About how many persons in the psychological group of professional experts in the country could Dr. Chein have properly sent that questionnaire to?

A I do not like to comment on Dr. Chein's study, I think that he did as good a job as he could and that as far as he went that probably what he got was all right. There are certain specific criticisms, perhaps, I might give. One is that his question was what you might call a "shotgun" question, or "blunderbuss" question. He asked whether enforced segregation -- which has an implied threat, racial and religious, which is a double-barrelled affair -- is detrimental -- without saying how it was detrimental; he did not specify whether he meant by segregation legally or segregation by custom, whether he meant it in buses, theaters, churches, schools, or what. If I had answered the question, I wouldn't have answered it, I would simply have written it and sent it back to Chein -- he did not send me the blank -- and said, "I

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can't answer this without so much qualification that I would have to write you an essay on it."

As to his group, he had a group of 416 psychologists whom he selected as being interested in social psychology. There are lots of people who do work in social psychology, or with groups in social psychology -- social psychology is concerned with groups, attitude measurement, personality measurement, and so on -- who were not, I am sure, listed in that selection of Dr. Chein. There are nearly 8,000 members of the American Psychological Association. Of that group, he sent questionnaires to 416, I believe, getting answers from 65 per cent of them.

He says he found, and I am sure that he did, that 90 per cent of them agreed that enforced segregation, racial and religious level, is detrimental both to the segregated -- in 90 per cent it was detrimental to the segregated, 83 per cent to the segregator. If you take a "blunderbuss" type of question like this, I am amazed that he did not get 100 per cent. I am surprised that he did not select his sample well enough to have gotten a hundred per cent. I think it is significant that of the selected sociologists to whom he sent the questionnaire, he had the highest return. I would not like to

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make a bet, but I could wager that I could send a questionnaire and phrase it rightly and get almost any answer I wanted.

Q You mean along this line?

A Well, I wasn't questioned on this line.

Q I have just one or two more questions. You read the testimony of Dr. Clark in regard to his doll test, which I believe he did not do in Virginia?

A Yes, I did.

Q But he did do what he called the interview test.

A Yes.

Q In your judgment, was there anything abnormal or particularly striking in the responses he got in this interview test?

A I think if you call in a group of children, who are members of a school that a year before struck for two weeks, if you do not get answers which say, "We don't think our school is good," "We don't think we have been well treated," and so on, you should be very much surprised.

Q Doctor, just one final question, which I have put to all of these last witnesses. Assuming that this school program that is proposed and is in the process of execution for Prince Edward County is carried out, and

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this new high school is constructed, as is proposed, and assume that the building and facilities are equal to or better than any comparable facilities for the whites, and that there is as good or better curriculum, as well as qualified or better teachers, well paid teachers, as good transportation facilities, and any other thing that might be pertinent, in your judgment is there any reason why the Negro student in that high school should not receive equal opportunities and advantages from an educational standpoint as the white child or as good as the Negro child could get if he were transferred over to the white school?

A Provided you have equal facilities. It seems to me that in the State of Virginia today, taking into account the temper of its people, its mores, and its customs and background, that the Negro student at the high school level will get a better education in a separate school than he will in mixed schools.

MR. MOORE: That is all.

JUDGE DOBIE: Do you wish to cross examine him?

MR. CARTER: I would like to, Your Honor, but it is ten minutes to 1:00. Are we going to break for lunch.

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JUDGE DOBIE: It depends on how long your cross examination is going to be.

MR. CARTER: I think that my cross examination may be somewhat extensive.

JUDGE DOBIE: Do you think then we had better adjourn now? Could you cut that lunch period down a little? I do not want to inconvenience you, but we are very anxious to finish this case, if we can, this afternoon.

MR. CARTER: We are, too, Your Honor.

JUDGE DOBIE: How about until 2:15?

MR. CARTER: Sure.

JUDGE DOBIE: If you are not here exactly on the hour, I promise I will not fine you for contempt.

MR. CARTER: All right.

JUDGE DOBIE: We will take an adjournment until 2:15.

(A recess was taken for lunch until 2:15 p.m.)

AFTERNOON SESSION

(The trial was resumed.)

HENRY E. GARRETT, the witness on the stand at the recess, was recalled and testified further as follows:

CROSS EXAMINATION

BY MR. CARTER:

Q Dr. Garrett, on direct examination you indicated, I think, that you were chairman of the Department of Psychology in Columbia University?

A That is right.

Q I think you also indicated that Dr. Kenneth Clark, who is a Negro, studied under you?

A Right.

Q Can you give us any rough estimate as to how many Negro students have studied in your department at the under graduate level?

A I have no idea at the under graduate level, because I have no direct connection with Columbia College.

Q At the Master's level?

A To try to estimate over a period of 27 years, is hard. I would guess at least 15, 20 maybe. That may be wrong.

Q I merely want it approximate. What about the Doctoral level?

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A We have had two Ph.D.'s who were Negroes.

Q As the retiring President of the American Psychological Association in 1946, I think, am I correct that you had occasion to mention the work of one of these students who had studied directly under you, a Negro who studied directly under you?

A Dr. Clark.

Q Dr. Mamie Clark?

A Yes, sir.

Q Were these Negro students that you have observed, who have been in your department, -- have you had opportunity to observe how they got along with other students? How the other students adjusted to them?

A Very well indeed.

Q Is it not a fact, or would it be a fair conclusion to draw, that Dr. Mamie Clark and Dr. Kenneth Clark, and the other Negroes, who studied in your department, would not have had the opportunity and advantages -- and that is not an inconsiderable one -- to have studied under you had Columbia University excluded Negroes; isn't that correct ?

A If Columbia had excluded Negroes, and I had been on the staff of Columbia University, it seems to me that it follows as night follows day that they would not

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have studied under me.

Q Are you, Dr. Garrett, a student of the psychology of the personality or psychology of adjustment?

A In a way. I do not regard myself -- regard that as a major field. I have recently conducted two studies through students in which we have been concerned with certain dimensions of personality, such things as introversion, submission, domination, neurotic tendencies, and so forth.

Q But you do not consider yourself a social psychologist or child psychologist, do you?

A Let's separate that, if you do not mind?

Q I do not mind.

A Technically, I do not consider myself a social psychologist; in a broader sense, I think I am.

Q What about the child psychologist?

A Well, for 25 years, I have been a consulting psychologist in a private school, which consists of grades all the way from pre-kindergarten through high school. I have studied problems of adjustment among children, parent-teacher relations, teacher-children relations, every kind of thing that has to do with the adjustment problem in school.

Q Although you have had experience in these area

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fields that you have indicated, is it not a fact that your major area of interest is in the area of intelligence; isn't that correct?

A No. I have an interest in the measure of intelligence, but I have, I should say, my chief interest in the study of individual differences and what is called mental organization, the way in which one's abilities are organized.

Q I think, again, I do not want to misquote you, and if I am incorrect in my inferences of what you say, please correct me.

A Certainly.

Q But I think you indicated in referring to Dr. Chein's examination that the questions were "loaded."

A Well, I think it was too general a question, yes. It was a "blunderbuss" question.

Q You also said, I believe, that since it was such a "blunderbuss" question that you were surprised that instead of getting 90 per cent who felt segregation was harmful, you were surprised that he did not get 100 per cent?

A I did.

Q Do you feel that these social scientists, and sociologists, social psychologists, and the anthropologists

Garrett - Cross

that Dr. Chein -- to whom the question was directed, do you feel that they would have been able, as well as you, to have seen the loaded nature of the question?

A I cannot answer; I have no way of knowing.

Q When these people who deal specifically with the problem of race -- don't you believe that these people who deal specifically with the problem of race, as experts in the field, had they considered the question unfair or loaded that they would have made some indication? Don't you feel that is probable?

A Some of them did. You remember perhaps that they wrote comments and several of them commented on the fact that the question was very broad, that it involved both racial and religious aspects, both of those are touchy subjects, as you know. Just as segregation is a loaded term, loaded with emotionalisms, so do you have these terms also loaded terms.

Q I think you indicated, though, Dr. Garrett, that had the question been directed to you, because of the qualifications that you would have indicated, that you would not feel you were in a position to answer it?

A I did.

Q How do you account for the fact that over 500 people to whom the question was sent answered -- and we

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presume that these people are competent people -- how do you account for the fact that over 500 people answered the question?

A Mr. Carter, I think that is very easy. Most people are opposed, in principle, to any social process which imposes a stigma on other people. If you ask me if I am opposed to sin, I would have to say yes, theoretically. If I am opposed to segregation on an idealistic, theoretical basis, I am, if it imposes inferiority on other groups.

Q I see. So that as I get your answer, what you are saying is that in viewing the specific problem of segregation, the question was not directed to that; it was directed to segregation generally, and, therefore, you feel that the answer is honest that they are opposed to segregation.

A Very good.

Q I think also, Dr. Garrett, that you referred to some material, the results of some material, that was used in World War II, with regard to intelligence tests?

A Yes, sir, I did.

Q And I think you said that this material was unpublished. By "unpublished," do you mean that the material has merely not been published, or whether it is available generally to the profession?

H. E. Garrett - Cross

A The material on which I based my statement has been published. I am afraid I messed things up a bit there, because I have had access to a good deal of this material in the Adjutant General's Office, which has not been published. The material upon which I based my statement involved some 5,000 recruits, Negro and white, who had been classified as regards to score and as regards their schooling, and I was able, by certain statistical shenanigans, to determine the percentage overlap in that group of five -- it was half a million, 500,000 soldiers, Negro and white.

Q This is the World War II study that you were talking about?

A May I change that. There were 500,000 Negro soldiers.

Q And this will refer to the test made in World War II?

A That was the Army General Classification Test, called the A.G.C.T.

MR. MOORE: Are you referring to World War I or II?

THE WITNESS: This was II.

MR. CARTER: I am talking about World War II.

THE WITNESS: All right.

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BY MR. CARTER:

Q I have a question here that I think you answered. As I understood your answer, you said that the results of that 500,000 survey were published and that was the material to which you had reference.

A Published by an Arthur Davenport. May I add to that, if you do not mind? I asked the Adjutant General if he would give me access to other records, and his answer was, "I think it would be inadvisable at this time for any more material which deals with a relative ability of Negro and white soldiers to be published." I am inclined to agree with him.

Q The only other thing I had reference to, I did not know whether you were basing your answer on published works or --

A No, I was basing it on published material.

Q I think you said, and again if I am incorrect, please qualify it; but I think you said, on direct, that you doubted whether we are -- and by "we" -- I should not use the word "we", but whether psychologists had reached the point where they were able to determine by projected techniques the effect of something like segregation. Is that a fair --

A I think it is very difficult. The projected

H. E. Garrett - Cross

techniques are extremely difficult to administer. It requires a skilled person, and the inferences which he has to make from what he gets are always subjective and subject to considerable doubt. I can illustrate, if you like.

MR. MOORE: Go ahead.

Q If you want to, of course.

A Take the ink blot test. You show a person an ink blot and ask him what he sees. Now he tells you he sees a crab, or he sees a bat, or he sees a bear, or he sees two people standing up facing each other, and he goes on at great rate like that. Now that is easy. Anybody who hears it can record it. A stenographer could take it down. But the interpretation which you put upon those answers depends upon your background, your training, and upon what particular system, oftentimes, that you espouse. Some of the answers make good sense. For instance, if a person sees holes, if he sees these things as holes, and another person sees little details, then the Rorschach will say that the first person has a cosmic intelligence, broad sweep; the other one is a practical every-day person.

When you go further than that and read into it inhibitions, hostilities, fears, animosities, and all of that kind of thing, I must say they are subject to considerable interpretation.

H. E. Garrett -- Cross

Q It is a fact, is it not, Dr. Garrett, that these techniques which have been employed and which have been, material and result, were the techniques that were used by competent people -- the Helen Trager tests, the tests of Dr. Kenneth Clark, they have been employed by competent people, have they not?

A Yes, I think so.

Q I have a book here which you authored -- Henry E. Garrett -- which is on psychology, published in 1950.

A That is right.

Q I would like to quote from page 290.

A I would be delighted to have somebody quote me.

Q I have the impression, Dr. Garrett, that this book is quoted quite a bit.

A Thank you.

Q You say, in judging personality traits:

"Various schemes have been devised for appraising and summarizing an individual's personality assets and liabilities. Methods vary from those which attempt to get an impression of personality as an organized whole to techniques planned to evaluate fairly specific trait dimensions. Some of the most useful of these approaches will be treated in this section."

Then you treat the interview method. And in the

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interview method, I am again taking excerpts from it:

"An experienced interviewer will gain many valuable insights into the individual's personality trends from his expressed interests and ambitions, from his dress, his manner of expression, hesitations, emotional blockings, and confusions. The informal interview is often used as a means of aiding people with personality problems: Those, for instance, who are anxious or worried about themselves, their school work, their jobs, their social or personal relationships."

Do you still believe this to be --

A I think that is a very good statement.

JUDGE DOBIE: You couldn't have done better if you had written it yourself, could you, Doctor?

THE WITNESS: Sir.

JUDGE DOBIE: I say, you couldn't have done better if you had written it yourself. (Laughter)

MR. CARTER: I think you won that round, Doctor.

BY MR. CARTER:

Q Then we come on to page 297 to the question of projective techniques and you say this, and I again quote:

"Many people experience anxiety and embarrassment when asked to discuss intimate personal affairs,

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12 and the desire to conceal behavior regarded as blameworthy is especially characteristic of insecure and poorly adjusted individuals. In such cases, the so-called projective tests of personality are useful. Such procedures seem so impersonal and innocuous that the examinee often reveals unconventional and unrecognized motives with a minimum of emotional stress, and without realizing that he is 'giving himself away.'"

And then on the next page, again merely an excerpt, you say:

"Peculiarities in thinking, emotional blocks, fantasies, and unrecognized motives are inferred from the quality and quantity of the associations recorded. While informal test-interviews, like the Rorschach, are difficult to 'score' and to interpret, they have been shown to give considerable insight into personality trends when administered by an expert."

And I move over to another excerpt from this paragraph, on page 299:

"The assumptions underlying this and other projective techniques is that the subject unknowingly reveals motives of which he is only dimly aware --

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if aware at all. Much work is being done at the present time in the field of projective testing, and these devices offer considerable promise for the study of personality organization."

By the use of this technique, for example, in attempting to measure the impact of the discrimination, segregation, aren't these the very personal and intimate things for which the projected technique would be the most useful, according to you?

A Yes.

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JUDGE DOBIE: I would like to ask a question there that, I think, may shorten this cross-examination. You can't read every section in that book.

MR. CARTER: I am not going to.

THE WITNESS: I would like very much to have it read.

BY JUDGE DOBIE:

Q I would like to ask you if it is a fair statement -- I am not indicating that it is or is not -- that these projective tests have value, but that the interpretation to be placed upon them varies very much with the myriad circumstances that surround them, and that the personality and expertness of the examiner, or the person conducting the tests, has a great deal to do with it. Is that a fair statement?

A That is a fair statement.

BY MR. CARTER:

Q Now, I believe you said that you did not feel that Negroes and whites in Virginia could attend elementary and secondary schools together, if segregation were abolished in Virginia at the elementary and secondary school levels. Do you think that, in Virginia, Negroes and whites can attend school together at the university level?

A I certainly do. I think that has been shown.

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Q How long have you had that opinion?

A Pardon?

Q How long have you had that opinion?

A Why, I couldn't say. I regard myself as a very unprejudiced person, and I think I probably have held it a very long time.

Q I don't mean, sir, how long have you felt this; I mean, how long have you held the opinion that in Virginia it could be done? We are talking about Virginia. I assume that you feel, personally, yourself, that there is no need for segregation at any level; but I thought you were talking about Virginia, and what Virginia could do.

A I am not quite sure. Well, what is the purpose of your question, or what is its import? Now, state it again, please.

Q Surely. I will be glad to. Do you feel that Virginians will accept integration at the university level?

A I think they will, but not with very good grace.

Q You are aware, of course, and the evidence discloses, that there are Negroes at the university level in various schools in Virginia?

A I heard the evidence.

Q And you have also heard the testimony that noth-

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ing has occurred -- apparently it is accepted. Would that change your opinion at all?

A I think the reason is two-fold: One is numbers, and the other is maturity. Whenever there are just a few members of a different racial group, they are regarded -- well, they are not regarded as a distinct minority group -- there are too few of them. I don't like to use the term "curiosity," but that is a term that might be applied. Again, I think that graduate students, professional students, and to some extent college students, are mature enough to meet their own responsibilities and to decide for themselves who their friends will be, and things of that sort, so that it is no longer strictly on a racial basis.

Q I see. Now, Dr. Garrett --

MR. MOORE: Wait a minute.

Had you finished your answer?

THE WITNESS: I had finished.

MR. CARTER: I have no desire to cut you off.

MR. MOORE: We are not interested in the desire; we just don't want you to cut him off.

BY MR. CARTER:

Q Did you reach the conclusion that this would be acceptable to Virginians before or after they were admitted at the University level?

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A I don't think I ever thought about it before, particularly.

Q Do you believe, at the present time, all things being equal, it will work out all right?

A At the professional and graduate school level; yes.

Q That is what I am talking about.

Now, you have been out of Virginia for some time, teaching?

A Twenty-seven or twenty-eight years.

Q With regard to the opinion of what Virginians would do in a situation of this nature, would you think that the statement of the Attorney General of Virginia would have some competence?

A The Attorney General?

Q Let me for a moment read you a statement that was indorsed by the Attorney General, Mr. Almond, in the University of Texas case, when it was in the Supreme Court of the United States, along with, I think, the briefs filed for the State of Arkansas, et cetera -- and I think this brief was filed in about April or May of 1950 -- this brief says, and I am reading on page 9 of the mimeographed copy of the brief:

"The Southern States trust this Court will not

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strike down their power to keep peace, order, and support of their public schools from maintaining equal separate facilities. If the states are shorn of of this police power and a physical conflict takes place, as in the St. Louis and Washington swimming pools, the states are left with no alternative but to close their schools to prevent violence. The swimming pools were closed for that reason. However, because of this Court's previous decisions on the constitutionality of the separate facilities, the swimming pools in St. Louis reopened on a separated basis.

If these decisions are overruled, the power to prevent conflict and violence in schools, pools, and other public facilities will be reduced to (1) termination of the facilities or (2) continuation with police protection for the few who elect to use the facilities.

10-3 Either alternative would destroy the public school and recreational systems of the Southern States."

Now, I want to read only one other paragraph:

"Schools necessarily involve social contact. With mixed classes, recreation, dancing, games, and social relationships being obnoxious to a majority of both races, the Southern States, with Supreme Court approval, have always attempted to furnish the same

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facilities and advantages to children of both races in separate schools.

"One cannot understand the problem of the state governments unless he is willing to know and face the realities connected therewith. Briefly summarized, the Southern States know that intimate social contact in the same schools will lead to withdrawal of public support of the schools, to physical and social conflict, and to discontent and unhappiness for both races."

Now, this brief was filed in 1950 in the Supreme Court. I think you are familiar with the case, are you not? -- Sweatt vs. University of Texas.

A Vaguely. I am not particularly familiar with it.

Q It involved the question of the right of a Negro to be admitted to a southern state institution without segregation.

A Is that the law school?

Q Yes; and another case was up at the same time, involving graduate schools.

A Yes; I remember that.

Q In March of 1950, the Attorney General of Virginia felt that there would be public withdrawal, and violence, and so forth, if the Supreme Court of the United States held

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that Negroes could attend the same schools with Whites on the graduate and professional school level. I believe it was about in September of the same year that a statutory court of this nature ruled that they had to be admitted to the University of Virginia.

Now, would you think it would be a fair assumption to say (1) either that the Attorney General was incorrect in his information as to what Virginians would do -- and, certainly, as we look back, we can see he was incorrect -- would that be a fair assumption in the light of what happened?

A I think you can say that he was incorrect in one sense. In another sense, I think he was not incorrect, because what he had said was never really put to a test. The University of Virginia has a number of students there who come from outside Virginia, so it is not a test of Virginian sentiment per se. On the other hand, there was one Negro in the law school who, as President Darden said, dropped out in education, -- I believe that Dean Stiles said there were three. Now, education is the best place to start -- I give you that free -- the reason being that Negro teachers and white teachers are unlikely to be thrown into contact and to appreciate each other as individuals. -- So, if 50 Negroes had come into the freshman class at the

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University of Virginia, or if '75 come into the law school, I don't know but what the Attorney General might have been right. I don't think it is a fair test.

Q You realize --

MR. MOORE: Let him finish.

JUDGE DOBIE: Let him finish. You started all this.

THE WITNESS: That is all I have. Thank you.

JUDGE DOBIE: All right.

BY MR. CARTER:

Q You realize, or do you realize, Dr. Garrett, that this brief was filed, not in connection with 50 or a hundred Negroes, but in connection with one Negro, who wanted to go to the University of Texas?

A Well, Texas is fairly far from Virginia, and swimming pools don't have much to do with Farmville.

Q But the sentiments in this amicus curiae brief indicated what would happen in the Southern States, and if this brief was filed on behalf of Virginia, I would assume it applied to Virginia.

A I have already said, it seems to me it is a matter of numbers and a matter of maturity. I taught this past fall at the University of Florida, by invitation. I had one group of 56 undergraduates. When we were dis-

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Discussing the subject of race differences, I asked my group how many would be willing to accept Negroes in their classes at the University of Florida. About 20 per cent said they would; the rest said they would not. Then I said, "How many of you would be willing to accept Negroes in the elementary and high schools of Florida?" Just about the same number voted. Those who voted to admit them were from New York and New Jersey -- students who had come to the South for one reason or another; health, or something -- and there were several who worked in YMCA and church organizations. That is, they would be people who would be opposed to sin in all forms. I had to stop the discussion, because it began to get so warm -- one boy was right ready to fight another boy, so that I stopped it, to keep it from going any further.

Now, Florida is not a typical university. It has a lot of outsiders in it. And that was the situation as I found it there.

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Q Would you assume that, because there are outsiders at the University of Virginia?

A I should think it would be something like that. I have no way of knowing it.

Q I think you said, Dr. Garrett -- and I think this

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will be my final series of questions -- that, in your opinion, racial segregation, without a stigma, would be all right?

A Right. I would like to qualify that, if you don't mind my interrupting you. What I said was that in the state of Virginia, in the year 1952, given equal facilities, that I thought, at the high school level, the Negro child and the white child -- who seem to be forgotten most of the time -- could get better education at the high school level in separate schools, given those two qualifications: equal facilities, and the state of mind in Virginia at the present time.

Now, I can go on a little with that, and perhaps save you some questions.

If a Negro child goes to a school as well-equipped as that of his white neighbor, if he had teachers of his own race and friends of his own race, it seems to me he is much less likely to develop tensions, animosities, and hostilities, than if you put him into a mixed school where, in Virginia, inevitably he will be a minority group. Now, not even an Act of Congress could change the fact that a Negro doesn't look like a white person; they are marked off, immediately, and I think, as I have said before, that at the adolescent level, children, being what they are, are

stratifying themselves with respect to social and economic status, reflect the opinions of their parents, and the Negro would be much more likely to develop tensions, animosities, and hostilities in a mixed high school than in a separate school.

Q Do you consider, Dr. Garrett, that racial segregation, as presently practised in the United States, and in Virginia, is a social situation which is adverse to the individual?

A It is a large question. In general, wherever a person is cut off from the main body of society or a group, if he is put in a position that stigmatizes him and makes him feel inferior, I would say Yes, it is detrimental and deleterious to him.

Q What I would like to ask you is, do you know of any situation involving racial segregation of Negroes in the schools, like that practised in the United States, and in Virginia, where this stigmatism has not been put on the separation?

A I think, in the high schools of Virginia, if the Negro child had equal facilities, his own teachers, his own friends, and a good feeling, he would be more likely to develop pride in himself as a Negro, which I think we would all like to see him do -- to develop his own poten-

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tialities, his sense of duty, his sense of art, his sense of histrionics; and my prediction would be that if you conducted separate schools at the high school level for Negroes and whites, one of two things might happen: that the Negroes might develop their schools up to the levels where they would not mix, themselves; and I would like to see it happen. I think it would be poetic justice. They would develop their sense of dramatic art, and music, which they seem to have a talent for -- politics -- and they would say, "We prefer to remain as a Negro group." The other would be in a mixed school where, as I said, a great many animosities, disturbances, resentments, and hostilities and inferiorities would develop.

I don't think either of these is certain. I am completely out of crystal balls at the present time, and I am not a very good prophet, but it seems to me these are the two lines it might take in the future.

Q Isn't it the policy of the University at which you are now teaching -- isn't it its fundamental policy -- that in order to build a strong institution, it must get people of all economic groups, all racial backgrounds, even of all countries?

A That is right.

Q Isn't that based on the belief that in that way

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the institution can give more to the student?

A That is right. That is a university -- not a high school.

MR. CARTER: That is all.

REDIRECT EXAMINATION

BY MR. MOORE:

Q Just one question I overlooked, Doctor. You mentioned your teaching in the University of Florida. In expressing the views that you have expressed, I think it would be well for the Court to know something about the extent to which you have been invited to teach from time to time, in recent years, at other great universities.

A I taught at the University of California at Berkeley; I taught at the University of California at Los Angeles; at the University of Southern California; University of Hawaii, University of New Mexico; University of Florida. I have lectured to Negro teachers in the Deep South, in Mobile, which is about as deep as you can get; and I have also done some observation of racial tensions, and the like, in Hawaii, for two summers.

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MR. MOORE: That is all.

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BY MR. CARTER:

Q Dr. Garrett, assuming that in Farmville, Virginia, at the present time, the facilities are physically unequal as between the Negro and white schools; assume that the separation, because of this inequality, or for any other reason, involves stigmatism. Now, in your opinion, does that separation cause any adverse effect to the individual in weakening the learning process?

A Now, you have made one assumption that I don't know would follow. You said, assuming that the separation would lead to a stigma, or toward inferiority. My point has been, not that it would not -- I don't say that it would not -- but it would be less than if you had mixed schools. That is all I say.

Q What I am saying, is that in Farmville, at the present time, I believe, the evidence discloses that physically the facilities are not equal.

A I know, but they say they are going to fix them. I would not be here as a witness if I didn't believe they were going to do it.

Q I will accept that. I do want to take the present situation, existing now-- not tomorrow but today. Today, I think it is admitted, the physical plant as between the schools is not equal.

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A I believe so.

Q And we will assume that the racial segregation causes a stigma, because, certainly, there are unequal facilities. Do you think that the Negro child in the Moton High School can secure educational opportunities equal to those of the white child?

A He may not in the next two months or so, before the new school is built.

Q Right at the present moment -- that is the case before the Court now. We come to the Court with the case now.

A I have predicated my statement on the basis of equal facilities. I thought I made that plain at least an hour ago.

JUDGE DOBIE: His question is, Assume that they are unequal.

THE WITNESS: Well, if they are unequal, I would say No.

MR. CARTER: That is all.

MR. MOORE: May it please the Court, the defendants rest.

JUDGE DOBIE: All right. We are now ready for the plaintiffs' rebuttal.